HON'BLE SRI JUSTICE BILAL NAZKI, ACTING CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE G. CHANDRAIAH

W.A. No. 991 of 2005

Date of Judgment: 21.10.2005

Between:

Kongara Ramulu (died) and others

….Appellants

and

Joint Collector, Ranga Reddy district and others

…Respondents

HON'BLE SRI JUSTICE BILAL NAZKI, ACTING CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE G. CHANDRAIAH

W.A. No. 991 of 2005

JUDGMENT: (Per Hon'ble Sri Justice Bilal Nazki, ACJ)

This dispute relates to conferment of title with respect to land measuring Ac.4-21 guntas in Sy.Nos. 216/1, 217/, 218/1 and 221/1 situated at Sahebnagar Kalan village, Hayathnagar Mandal, Ranga Reddy district in terms of the A.P. (Telangana Area) Abolition of Inams Act, 1955. It is not disputed that the relevant entry for the purpose of grant of occupancy certificate is 1.11.1973. The revenue entry is in the name of the 4th respondent for the year 1973-74. Both the parties went to the concerned authorities for grant of occupancy certificate. An order was passed by the 2nd respondent on 1.10.1993 and this order was confirmed by 1st respondent on 17.6.1995. Both the authorities have found that the 4th respondent was in actual physical possession of the land as on 1.11.1973. The entries with respect to years 1973-74 have not been challenged in any proceedings, therefore the learned single Judge dismissed the writ petition. However in the appeal it is stated that the 4th respondent's possession was recorded in 1973-74 alone and for all other years

from 1952 to 1984 the possession of the petitioners was recorded, thus the pahani for the year 1973-74 was manipulated by the Inamdar for obtaining the occupancy certificate. That may or may not be true, but that is not for this Court to decide as to whether the pahani for the year 1973-74 was manipulated or not. The pahani for the year 1973-74 has not been challenged neither before this Court nor before any authority. On the other hand, there is a finding in the order dt. 17.6.1995 passed by the Joint Collector-1st respondent which reads as under,

> "There is no evidence of tampering of pahani 1973-74 and pattedar is shown in cultivation column also and the crop is also recorded."

In view of this finding of the Joint Collector and in view of the fact that this entry remains unchallenged, we do not think there is any ground for this Court to interfere in the finding of the authorities below and of the learned single Judge. The writ appeal is accordingly dismissed. No costs.

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BNJ.

Dt.21.10.2005

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_____ GCJ.